



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2204842
Applicant Name: Ren Franco for Miracle Temple
Address of Proposal: 7100 42nd Avenue South

SUMMARY OF PROPOSED ACTION

Master Use Permit to change the use of approximately 13,000 square feet of an existing structure from food processing to religious facility and approximately 11,000 square feet to childcare center. The childcare center is to be constructed under a separate permit. Surface parking for approximately 88 vehicles will be provided.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05 SMC

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site Description

The site is relatively flat and located in a Neighborhood Commercial 3 zone with a 65 foot height limit (NC3 65'). The site is bounded by South Myrtle Street on the north, 42nd Avenue South on the west, and 43rd Avenue South on the east. The site is developed with a one story 24,200 square foot former food processing facility with a surface parking lot for 95 cars on the south side of the site.

Area Development

Development in the vicinity consists of a mixture of commercial uses along South Myrtle Street and Martin Luther King Jr. Way South located one block to the west. There is single family development on the block across the street to the north. Martin Luther King Jr. Way South is located one block to the west and Rainier Avenue South is located five blocks to the east.

Proposal Description

The applicant proposes to change the use of approximately 13,000 square feet of an existing structure from food processing to religious facility and approximately 11,000 square feet to childcare center. The childcare center will be constructed under a separate permit. Surface parking for approximately 88 vehicles will be provided.

Public Comment

No comments were received during the comment period which ended on May 7, 2003.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated March 31, 2003) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-Term Impacts

Construction activities for the interior and exterior tenant improvements could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Engineering Department, and no further SEPA conditioning is needed.

Construction of the tenant improvements is proposed to last for several months. Parking utilization along streets in the vicinity is moderate and not at capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Although the scale of the project is moderate in size, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, construction workers will be required to park on the surface parking lot to the south of the structure for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist which warrant additional mitigation, per the SEPA Overview Policy.

Long-Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased demand on public services and utilities; increased light and glare; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope. Additional land use impacts which may result in the long-term are discussed below.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that a 24,200 sq. ft. religious facility would generate between 4.35 and 30.20 vehicle trips per day per 1,000 sq. ft. of gross floor area. Based on the estimates in the Trip Generation Manual the 24,200 sq. ft. religious facility would generate an average of 220 trips per day on a weekday, with approximately 16 trips during the PM peak hour on a weekday. On Sunday the religious facility would generate an average of 886 trips per day, with approximately 229 trips during the AM

peak hour. The availability and proximity of transit to downtown along Martin Luther King Jr. Way South and Rainier Avenue South will make it likely that there will be fewer vehicle trips than from religious facilities in outlying areas on which the ITE generation equation is based. The site has ready access to the arterial Martin Luther King Jr. Way South as well as close proximity to Rainier Avenue South. The volume of traffic along Rainier Ave. S. and Martin Luther King Jr. Way South is heavy but nearby intersections operate at acceptable levels. The amount of traffic expected to be generated by the proposed project is within the capacity of the streets in the immediate area and no SEPA mitigation of traffic impacts is warranted.

Parking

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity. Parking utilization in the vicinity appears to be below capacity and on-street parking can be found during the daytime or evening hours. The existing onsite surface parking has a total of 95 spaces. The required parking for the portion of the building changing use to religious facility is 88 parking spaces. The parking spaces provided would exceed the code requirement and are expected to accommodate the parking demand generated by the change of use from food processing to religious facility. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal which are nonsignificant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DCLU.

The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

1. Parking for construction workers shall be provided on the surface parking lot directly south of the structure for the duration of construction.

Signature: (signature on file) Date: May 26, 2003
Malli Anderson, Land Use Planner
Land Use Division